

Message Text

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ACTION ARA-10

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-04 H-02 INR-07 L-03

NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06 AID-05

IO-13 ACDA-07 OES-06 INT-05 DLOS-06 EB-07 CU-02 /108 W

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R 192020Z OCT 76

FM AMEMBASSY SAN JOSE

TO SECSTATE WASHDC 5421

AMEMBASSY MANAGUA

INFO AMEMBASSY TEGUCIGALPA

AMEMBASSY PANAMA

AMEMBASSY SAN SALVADOR

AMEMBASSY GUATEMALA

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E.O. 11652: N/A

TAGS: CS, NU, PFOR

SUBJECT: PROBLEMS IN COSTA RICA-NICARAGUA RELATIONS

1. SUMMARY. RELATIONS BETWEEN COSTA RICA AND NICARAGUA HAVE SHOWN SIGNS OF STRAIN OVER PAST WEEKS WITH ALMOST DAILY PRESS COVERAGE OF ONE OR MORE BILATERAL ISSUES AND OCCASIONAL OFFICIAL STATEMENTS OR ACTIONS. INVITED BY THE COSTA RICAN MEDIA TO COMMENT ON THE SPECIFIC ISSUES IN THE RELATIONSHIP, NICARAGUAN PRESIDENT ANASTASIO SOMOZA CREATED ANOTHER ONE, ACCUSING COSTA RICA OF BORDER TREATY VIOLATION. MOST OF THE ISSUES APPEAR TO BE MORE VEXATIOUS THAN HARMFUL TO EITHER PARTY BUT THEY ARE OF SUFFICIENT IMPORTANCE TO BE DISCUSSED IN OFFICIAL TALKS SCHEDULED FOR LATE OCTOBER. END SUMMARY.

2. A NUMBER OF BILATERAL ISSUES HAVE RECEIVED WIDESPREAD PUBLIC AND POLITICAL ATTENTION DURING PAST WEEKS, REFLECTING A STRAIN IN RELATIONS BETWEEN COSTA RICA AND NICARAGUA. THE ISSUES INCLUDE THE CONTINUED

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IMPRISONMENT IN NICARAGUA OF A COSTA RICAN UNIVERSITY

STUDENT FOR INVOLVEMENT WITH THE SANDINISTAS (SHE HAS BEEN HELD FOR OVER ONE YEAR); THE ILLEGAL OPERATION OF NICARAGUAN FISHING BOATS IN COSTA RICAN WATERS AND THEIR SEIZURE AND BRIEF DETENTION& THE ARREST IN NICARAGUA OF A GOCR PUBLIC SECURITY OFFICER WHILE CONDUCTING AN INVESTIGATION; THE SEIZURE OF COSTA RICAN SHRIMP BOATS BY NICARAGUAN AUTHORITIES; AND THE SUBSEQUENT SENTENCING OF COSTA RICAN FISHERMEN TO JAIL TERMS IN NICARAGUA; AND THE GON'S TEMPORARY BAN OF THE LOADING AND DISCHARGE OF PASSENGERS IN NICARAGUA BY A COSTA RICAN BUS COMPANY.

3. AT A RECENT MANAGUA PRESS CONFERENCE, VISITING COSTA RICAN NEWSMEN ASKED PRESIDENT SOMOZA TO COMMENT ON SOME OF THESE ISSUES; SOMOZA'S REMARKS, WIDELY REPORTED HERE, ADDED TO THE TESTINESS OF THE ATMOSPHERE. WHILE AVOIDING SUBSTANTIVE COMMENT ON THE ISSUES, SOMOZA MADE CLEAR THAT HE CONSIDERS NICARAGUA TO BE THE AGGRIEVED PARTY IN MOST OF THEM. SOMOZA PARTICULARLY RANKLED THE COSTA RICANS BY CHARGING THAT THE RIO ARENAL HYDRO ELECTRIC POWER PROJECT, CURRENTLY UNDER CONSTRUCTION IN COSTA RICA, VIOLATES NICARAGUAN TREATY RIGHTS. HE ASSERTED THAT THE PROJECT WILL SERIOUSLY AFFECT THE WATER LEVEL IN THE RIO SAN JUAN, INTO WHICH THE ARENAL FLOWS, THEREBY AFFECTING NAVIGATION ON THE BORDER RIVER AS WELL AS NICARAGUAN IRRIGATION PROJECTS. THIS, HE INDICATED, WAS IN VIOLATION OF THE 1858 CANAS-JEREZ BORDER TREATY WHICH ASSIGNED NICARAGUA ALL RIGHTS TO THE BORDER RIVER. SOMOZA'S REMARKS CAUSED A LIVELY DEBATE IN THE ASSEMBLY AND CONDEMNATION BY COSTA RICAN MEDIA. FORMER FOREIGN MINISTER FACIO IN A PRESS INTERVIEW OCTOBER 14 CATEGORICALLY REJECTED SOMOZA'S CHARGE. HE POINTED OUT THAT THE RIO ARENAL IS NOT A DIRECT TRIBUTARY OF RIO SAN JUAN (IT FLOWS INTO THE RIOSAN CARLOS) AND IS COMPLETELY IN COSTA RICAN TERRITORY. THEREFORE FACIO CONCLUDED, IT DOES NOT COME UNDER THE JURISDICTION OF THE CANAS-JEREZ TREATY.

4. COMMENT: TRADITIONALLY, COSTA RICAN-NICARAGUAN RELATIONS HAVE BEEN MARKED BY PERIODS OF TESTINESS WHICH COME AND GO. THUS IT IS NOT UNUSUAL FOR THE PRESS, THE LIMITED OFFICIAL USE

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PUBLIC, AND POLITICIANS TO SOUND OFF PERIODICALLY ON DIFFERENCES BETWEEN THE TWO COUNTRIES AND TO PORTRAY MINOR ISSUES AS MAJOR PROBLEMS. THIS APPEARS TO BE THE CASE AT THE PRESENT TIME. NEVERTHELESS, BOTH SIDES CONSIDER THE PROBLEMS SERIOUS ENOUGH TO DISCUSS ON AN OFFICIAL BASIS. ACTING FOREIGN MINISTER JIMENEZ ANNOUNCED THAT OFFICIALS OF BOTH COUNTRIES WILL MEET TO DISCUSS OUTSTANDING BILATERAL ISSUES IN RIVAS,

NICARAGUA THE LAST WEEK OF OCTOBER. PRESIDENTS ODUBER
AND SOMOZA ARE REPORTED TO BE PLANNING TO MEET SHORTLY
THEREAFTER.
TODMAN

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: FOREIGN RELATIONS, DISPUTES, TREATY VIOLATION, BORDER INCIDENTS, ALLEGATIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 19 OCT 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: powellba
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976SANJO05030
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D760392-1051
From: SAN JOSE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19761037/aaaabfqp.tel
Line Count: 119
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION ARA
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: powellba
Review Comment: n/a
Review Content Flags:
Review Date: 16 JUL 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <16 JUL 2004 by izenbei0>; APPROVED <26 OCT 2004 by powellba>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: PROBLEMS IN COSTA RICA-NICARAGUA RELATIONS
TAGS: PFOR, CS, NU
To: STATE MANAGUA
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006